

EXHIBIT 19

Deposition of James Nottingham

Pages: 19, 39, 56, 57, 58, 69

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1 Lieutenant Whitesell, and we did have guest speakers
2 come in that were instructors in a particular field,
3 whatever we were training in. But for the most part, my
4 partner and I did the majority of the trainings for
5 staff.

6 Q. And how many would you do in an average
7 week, how many in-service trainings, that is?

8 A. Well, in-service training at the time,
9 pre-COVID, was -- went on for six months.

10 Q. What do you mean by that, it went on for
11 six months? Are you talking about new employees to the
12 facility?

13 A. No, no. In-services for current staff.

14 Q. Okay, got it. So when you say it goes on
15 for six months, explain that to me, please.

16 A. So two days a week are assigned for
17 training for the staff. Our correction -- to keep up
18 with the Pennsylvania State correctional standards, our
19 staff has to have 32 years -- 32 hours a year of
20 training, in-service training, refreshers. That would
21 take literally six months to get our 250 officers
22 through.

23 Q. Got it.

24 A. So it would be two days a week. Now, we
25 would have academy classes going on at the same time.

1 Q. Would you agree on behalf of Bucks County
2 that correctional staff have a responsibility to prevent
3 people from harming themselves?

4 A. I agree.

5 Q. Now, my understanding is that mental
6 health staff in the facility are the ultimate
7 decision-makers on what level of precautions are
8 necessary. Is that your understanding, as well?

9 A. That is -- that is correct.

10 Q. Now, my understanding is also that mental
11 health staff are, obviously, usually stationed within the
12 medical or mental health unit. Is that correct?

13 MR. KOLANSKY: Within the medical or
14 mental health what? I didn't hear you.

15 MR. FEINBERG: Unit in the facility.

16 MR. KOLANSKY: Okay.

17 THE WITNESS: They're in the facility,
18 yes.

19 BY MR. FEINBERG:

20 Q. Well, they're -- the correctional staff
21 are the ones who are on the -- in the housing modules at
22 all times. Is that correct?

23 A. At all times we have staff on the
24 modules. That's correct.

25 Q. And it's those officers who work on the

1 A. I do not, just enforcement.

2 Q. Okay. Can -- can I assume that when they
3 are written, your understanding is that whoever writes
4 them tries to write them in as clear a fashion as
5 possible?

6 A. Absolutely. And I'm sure, if I could
7 add on that, I'm sure there's attorneys looking at it,
8 so --

9 Q. Okay.

10 A. -- smart people like yourself.

11 Q. That's very kind, sir. Bottom line --

12 MR. KOLANSKY: Extremely.

13 MR. FEINBERG: Yeah, I was waiting for an
14 objection.

15 MR. KOLANSKY: No objection, just a --
16 BY MR. FEINBERG:

17 Q. So Captain, from -- when -- the whole
18 purpose of training of officers on what's required in
19 these Standard Operating Procedures recognizes that
20 officers may not have a complete understanding of all of
21 their obligations. Is that correct?

22 A. I disagree. No.

23 Q. Okay. Yeah, tell me why you disagree.

24 A. Because we have a paid academy where
25 they go through like 280 hours of academy training,

1 which this SOP is enforced and they study.

2 Q. Got it.

3 A. And then, again, that's where this
4 in-service comes in where we refresh on all these
5 topics.

6 Q. And I think that's -- we're talking about
7 the same thing -- that's the point of refreshers, right,
8 to make --

9 A. Right.

10 Q. -- sure that it's -- it's fresh in
11 officers' minds. Is that correct?

12 A. Correct.

13 Q. You would never say to an officer who's
14 starting in a new position, Here's the Standard Operating
15 Procedures, read these and go ahead and do your job;
16 right?

17 A. Not -- not necessarily in like that
18 form, but yeah.

19 Q. So that's why you have the training
20 sessions where they're discussed -- and can I assume that
21 in your training sessions you have role plays or
22 different procedures are discussed and how they're
23 implemented?

24 A. Absolutely.

25 Q. I'm sorry, bear with me for one second.

1 Describe for me, sir, the training that's employed
2 specifically on the watch procedures that we've
3 discussed, including -- and let's focus that on Level 3.
4 All right? Can you identify for me or describe for me
5 how officers are trained to comply with their obligations
6 on a Level 3 watch?

7 A. So in the academy where they're first
8 getting this training, we go over the watch procedures,
9 so literally reading it verbatim. We're asking any
10 questions. They have a copy of it in front of them for
11 not only during the session but to review at home.

12 Then we do an in-service to review it,
13 same thing. And any kind of situations, any expertise,
14 any experiences that myself or any other supervisor
15 that's training will share expertise or experiences with
16 staff. That's a very critical tool, not only just
17 reading verbatim what the policy says and what's
18 expected, but to give experience, this is what I dealt
19 with as a Module Officer, this is what I dealt with as a
20 supervisor, here's what you can -- hopefully, it doesn't
21 happen to you, but here's what can happen, question and
22 answer like that.

23 Q. Can you identify with any specificity,
24 sir, the frequency with which watch procedures are
25 discussed in refresher training?

1 officers were conducting themselves in their supervision
2 of Inmate Monitors?

3 A. No, sir.

4 Q. As a Sergeant, you've already described
5 one issue where a -- where an officer had too many Inmate
6 Monitors working under him. Is that correct?

7 A. It was too many inmates on Level 3 under
8 one monitor --

9 Q. I see.

10 A. -- to be more precise.

11 Q. Okay. In terms of a responsibility to
12 supervise Inmate Monitors, you told me that both officers
13 and supervisors have a responsibility to do so. Is that
14 correct?

15 A. Yes, sir.

16 Q. And I think you told me that -- you gave
17 me an example that when you were a correctional officer
18 working on a housing module, you took very seriously your
19 job to look at every single Inmate Monitor form both
20 during your shift and at the conclusion of the shift;
21 correct?

22 A. Yes, sir.

23 Q. And you would expect the same of other
24 correctional officers. Is that right?

25 A. Absolutely.